

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

MCRAE,

No. C 07-01538 MJJ

Plaintiff,

**CLERK'S NOTICE VACATING  
HEARING DATE**

V.

BARNHARDT, et al.,

**Defendant.**

YOU ARE NOTIFIED THAT the **Motion to Dismiss**, which has been noticed for hearing on *10/16/07 at 9:30 AM*, will be decided on the papers submitted without oral argument. Accordingly, the hearing date is hereby VACATED.

Dated: October 11, 2007

FOR THE COURT,

Richard W. Wieking, Clerk

By: R. B. Espinosa  
R. B. Espinosa  
Deputy Clerk